

**PREPARED BY AND RETURN TO:**  
**Select Title & Escrow, LLC**  
**Almon M. Ellis, Jr., Attorney**  
**7145 Swinnea Road Suite 2**  
**Southaven, MS 38671**  
**(662) 349-3930**  
**File # 07-1293**

Indexing Instructions:  
Horn Lake, DeSoto County, Mississippi

## **WARRANTY DEED**

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, **Fruit Fair Inc., a Mississippi corporation**, does hereby sell, convey and warrant unto **Kyle G. Duba, a single man and Thomas Y. Eubanks, Jr., a single man, as joint tenants with the right of survivorship**, the following described property, together with the improvements, hereditaments and appurtenances thereunto belonging, located in the County of DeSoto, State of Mississippi, more particularly described as follows, to-wit:

**Lot 433, Section "E", Twin Lakes Subdivision, as shown on Section 6, Township 2 South, Range 8 West in Plat Book 12, Pages 18-20, in the office of the Chancery Clerk of DeSoto County, Mississippi.**

IT IS AGREED AND UNDERSTOOD that the taxes for the current year have been prorated as of this date based on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, then the grantor agrees to pay to said grantees or their assigns any deficit on actual proration and likewise, the grantees agree to pay to grantor any amount overpaid by it.

THIS conveyance is subject to rights of way and easements for public roads and for public utilities; to applicable building, zoning, subdivision and Health Department regulations; to the covenants, limitations and restrictions of record with the said recorded plat of said subdivision and to which reference is hereby made; to any matter which might be disclosed by a current, accurate survey and physical inspection of said lands.

The Grantor herein further warrants that subject property constitutes no part of its homestead and is not subject to the homestead rights of any person at the time of conveyance.

Possession is given upon the delivery of this deed or at an agreed upon date between the parties.

*Select*

WITNESS ITS SIGNATURE, on this 28th day of September, 2007.

FRUIT FAIR INC.

By: \_\_\_\_\_

(SEAL)

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, within the jurisdiction, the within named A. Lee Abraham, Jr., who acknowledged that he is President of Fruit Fair, Inc, a Mississippi corporation, and that for and on behalf of the said corporation, and as its act and deed he executed the above and foregoing instrument, after first having been duly authorized by said corporation to do so.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this <sup>28th</sup>~~27th~~ day of ~~March~~ September, 2007.

Jeffie C. Kent  
Notary Public

My Commission Expires:

MY COMMISSION EXPIRES MAY 1 2011

GRANTOR:

Fruit Fair Inc.

305 W. Market St

Greenville, MS 38930

HOME: N/A

WORK: 662-453-3000

GRANTEES

Kyle G. Duba and Thomas Y. Eubanks, Jr.

5261 Haynes Drive

Horn Lake, MS 38637

HOME: 901-834-1957

WORK: N/A